

Exhibit A

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHNSON & JOHNSON HEALTH CARE
SYSTEMS INC.,

Plaintiff,

v.

SAVE ON SP, LLC,

Defendant.

Civil Action No. 2:22-cv-02632 (ES)(CLW)

Document electronically filed

[PROPOSED] ORDER

THIS MATTER having come before the Court on February 28, 2023 and March 17, 2023,

IT IS ORDERED THAT:

1. Johnson & Johnson Health Care Systems Inc.’s (“JJHCS”) motion to compel Save On SP, LLC (“SaveOnSP”) to produce documents related to non-Janssen drugs and patients, ECF No. 65 at Section II.D, is denied without prejudice.

2. JJHCS’s motion to compel SaveOnSP to produce documents responsive to JJHCS’s Request for Production No. 43, ECF No. 66 at Section C, is denied.

3. JJHCS’s motion to compel SaveOnSP to produce documents responsive to JJHCS’s Request for Production No. 52, ECF No. 66 at Section E, is denied without prejudice.

4. SaveOnSP’s motion for a protective order regarding JJHCS’s third-party discovery requests, ECF No. 79 at Section II, is denied without prejudice. SaveOnSP shall produce the identities of its health plan clients and of patients enrolled in health plans advised by SaveOnSP who have been prescribed Janssen drugs or are enrolled in or are eligible to enroll in CarePath. JJHCS shall meet and confer with SaveOnSP regarding the total number of subpoenas that it intends to issue to SaveOnSP’s health plan clients and their plan participants before issuing any such subpoenas. JJHCS shall keep SaveOnSP advised of any outreach to SaveOnSP’s health plan clients or their participants.

5. SaveOnSP's motion to compel JJHCS to produce documents responsive to SaveOnSP's Requests for Production Nos. 11, 28.a-28.h, 29, and 30, ECF No. 79 at Section III.A, is denied without prejudice, subject to renewal after JJHCS completes its initial production of documents responsive to these Requests. JJHCS is directed to prioritize its production of documents responsive to these Requests.

6. SaveOnSP's motion to compel JJHCS to produce all documents responsive to SaveOnSP's Requests for Production Nos. 12 and 13, ECF No. 79 at Section III.D, is denied without prejudice, subject to renewal after JJHCS completes its initial production of documents responsive to these Requests. JJHCS is directed to prioritize its agreed-upon production of documents responsive to these Requests.

7. SaveOnSP's motion to compel JJHCS to produce documents responsive to SaveOnSP's Request for Production No. 34, ECF No. 79 at Section III.E, is denied.

IT IS FURTHER ORDERED THAT the Court will hold a status conference in this matter on April 13, 2023 at 2:00 p.m. at the Martin Luther King Jr. Courthouse, 50 Walnut St. Courtroom 4C, Newark, New Jersey 07101.

Dated: March __, 2023

Honorable Cathy L. Waldor, U.S.M.J.